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10/032,245	12/21/2001	Christen K. Pedersen	100110550	6661

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EXAMINER

STRANGE, AARON N

ART UNIT	PAPER NUMBER
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2153

MAIL DATE	DELIVERY MODE
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03/20/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/032,245	PEDERSEN, CHRISTEN K.	
	Examiner	Art Unit	
	AARON STRANGE	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In the interest of expedited prosecution, the Examiner would like to recommend conducting an interview prior to filing a response to the present Office action. There appears to be unclaimed subject matter in the specification of the present application that may be sufficient to overcome the prior art of record and/or place the application in condition for allowance. If Applicant is willing to consider additional claim amendments, he/she is encouraged to contact the Examiner to schedule an interview to discuss the unclaimed subject matter and potential amendments to overcome the prior art of record.

Response to Arguments

2. Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claims 11 and 19 are objected to because of the following informalities:

Appropriate correction is required.

a. There appears to be a typographical error "said first device" in line 4 of claim 11. It appears that Applicant intended to recite "first electronic device".

b. There appears to be a typographical error "second device" in line 7 of claim 19. It appears that Applicant intended to recite "second electronic device".

- c. There appears to be a typographical error “each of said second electronic device” in line 14 of claim 19. It appears that Applicant intended to recite “said second electronic device”.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 11-20 and 22-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Blight et al. (US 6,785,542).
6. With regard to claim 11, Blight discloses a method of connection comprising:
providing a communication interface (resource proxy)(col. 10, ll. 39-60) on a first electronic device coupled to a communication network (Fig. 7, 200a, 300b) that when initiated by a user at said first electronic device provides an indication at said first device of any second electronic device available and configured to establish a communications path directly with the first electronic device, and further provides to said user (available resources are presented in an HTML page)(col. 14, ll. 56-57) pertinent network

connectivity information (HTML page contains URLs of available resources)(col. 14, ll. 61-63) pertaining and unique to said first electronic device (the URLs refer to resources available to that mobile device)(col. 10, ll. 22-33) necessary for establishing communication paths with said second electronic device coupled to said communication network (URLs are needed to establish communication with the resources)(col. 14, ll. 61-63; *See also* col. 9, ll. 58-62; col. 10, ll. 65-68), wherein said network connectivity information is universally used to establish communication between said first electronic device and said second electronic device coupled to said communication network (the system uses the resource URLs to address each resource and to establish communication between the electronic device and each resource)(col. 9, ll. 58-62; *See also* col. 14, l. 61 to col. 15, l. 9);

prompting through said communication interface for said user to provide through said communication interface said network connectivity information to establish a communication path through said communication network to a second electronic device (the user selects a resource URL from the HTML page of available resources)(col. 15, ll. 7-9); and

prompting through said communication interface for said user to provide through said communication interface network connectivity information specific to said second electronic device to establish said communication path (the user selects a resource URL from the HTML page of available resources)(col. 15, ll. 7-9), wherein said network connectivity information specific to said second electronic device is generically used to establish communication between said second electronic device and any device

coupled to said communication network (the system uses the resource URLs to address each resource and to establish communication between the electronic device and each resource)(col. 9, ll. 58-62; See *also* col. 14, l. 61 to col. 15, l. 9).

7. With regard to claim 12, Blight further discloses:

providing said communication interface universally on a plurality of electronic devices coupled to said communication network (each mobile device contains the resource proxy)(col. 10, ll. 16-19); and

providing pertinent network connectivity information for electronic devices upon initiating their respective communication interfaces for establishing said communication paths with other devices coupled to said communication network (listing of available resources is presented upon initiation of the resource proxy)(col. 14, ll. 61-65).

8. With regard to claim 13, Blight further discloses automatically establishing a communication path between a first and second electronic device when their associated first and second communication interfaces, respectively, have been initiated under a condition (upon selection of a resource URL, the electronic device is connected to the resource)(col. 15, ll. 7-15).

9. With regard to claim 14, Blight further discloses that said condition is initiating said first and second communication interfaces within a period of time (it is inherent that

the interfaces are initialized within "a period of time", and the connection is established as soon as the URL of an available resource is elected)(col. 11, ll. 19-25).

10. With regard to claim 15, Blight further discloses that said condition is initiating said first and second communication interfaces within a geographical location (connections can only be established when the device is in close proximity to certain resources)(col. 8, l. 64 to col. 9, l. 3).

11. With regard to claim 16, Blight further discloses that said network connectivity information is a device identification (ID) (address of resource)(col. 10, ll. 52-53).

12. With regard to claim 17, Blight further discloses assisting said user of said electronic device through a graphical user interface to establish a communication path between said electronic device and a second electronic device chosen by said user, said second electronic device located on said communication network (available network resources are displayed in an HTML page)(col. 14, l. 61 to col. 15, l. 9).

13. With regard to claim 18, Blight further discloses providing a set of possible connections to other known devices located on said communication network for selection by said user (available resources are displayed in an HTML page)(col. 14, l. 61 to col. 15, l. 9).

14. With regard to claim 19, Blight discloses a method of connection comprising:

at a first electronic device (Fig. 6, 100d), initiating a communication interface (resource proxy)(col. 10, ll. 39-60), said first electronic device coupled to a communication network (internet, wireless LAN, etc)(Fig. 6), wherein said first electronic device is configured to provide to a user connectivity information for establishing a direct connection with any second device coupled to the communication network (users are presented with a list or URLs for available resources, from which they can select a resource to communicate with)(col. 9, ll. 58-62; *See also* col. 14, l. 61 to col. 15, l. 9);

providing to said user at said first electronic device (available resources are presented in an HTML page)(col. 14, ll. 56-57) network connectivity information for said first electronic device, said network connectivity information necessary for establishing communication paths to said second electronic device coupled to said communication network (URLs are needed to establish communication with the resources)(col. 14, ll. 61-63; *See also* col. 9, ll. 58-62 and col. 10, ll. 65-68) wherein said network connectivity information provides information pertaining and unique to said first electronic device (proxy provides location based resources available to that mobile device)(col. 10, ll. 22-33) and is universally used to establish communication between said associated electronic device and each of said second electronic device (the system uses the resource URLs to address each resource and to establish communication between the electronic device and each resource)(col. 9, ll. 58-62; *See also* col. 14, l. 61 to col. 15, l. 9).

15. With regard to claim 20, Blight further discloses providing network connectivity information on a display of said first electronic device (information is displayed on the screen of the device)(col. 14, ll. 64-65).

16. With regard to claims 22 and 23, Manni further discloses that the initiating further comprises acknowledging the engagement of a physical selector that is a button (the “Start Discovery” button may be implemented in hardware or software)(col. 8, ll. 27-31 and col. 9, ll. 62-66).

17. With regard to claim 24, Manni further discloses that the initiating further comprises acknowledging the engagement of a software enabled selector located on a display of said first electronic device to initiate said communication interface (the “Start Discovery” button may be implemented in hardware or software)(col. 8, ll. 27-31 and col. 9, ll. 62-66).

18. With regard to claim 25, Blight further discloses assisting said user of said first electronic device through a graphical user interface to establish a communication path between said first electronic device and said second electronic device chosen by said user, said second electronic device located on said communication network (available network resources are displayed in an HTML page)(col. 14, l. 61 to col. 15, l. 9).

19. With regard to claim 26, Blight further discloses providing a set of possible connections to other known devices located on said communication network for selection by said user (available resources are displayed in an HTML page)(col. 14, l. 61 to col. 15, l. 9).

20. With regard to claim 27, Blight further discloses that assisting further comprises prompting said user of said first electronic device for other network connectivity information from said second electronic device obtained by initiating a second communication interface at said second electronic device (resource proxies are updated each time a new device joins the network, and the assigned IP address of each device is used to establish communications)(col. 16, ll. 37-52).

21. With regard to claim 28, Blight further discloses that said network connectivity information is in an internet protocol (IP) address (col. 16, l. 67).

22. With regard to claim 29, Blight discloses a computer system comprising:

a processor (Fig. 5, 101); and

a computer readable memory (Fig. 5, 102-104) coupled to said processor and containing program instructions that , when executed, implement a method of connection comprising:

providing a communication interface (resource proxy)(col. 10, ll. 39-60) on a first electronic device coupled to a communication network (Fig. 7, 200a, 300b) that when

initiated by a user at said first electronic device provides an indication at said first electronic device of any second electronic device available and configured to establish a communications path directly with the first electronic device, and further provides to said user (available resources are presented in an HTML page)(col. 14, ll. 56-57) pertinent network connectivity information (HTML page contains URLs of available resources)(col. 14, ll. 61-63) pertaining and unique to said first electronic device (the URLs refer to resources available to that mobile device)(col. 10, ll. 22-33) necessary for establishing communication paths with said second electronic device coupled to said communication network (URLs are needed to establish communication with the resources)(col. 14, ll. 61-63; See *also* col. 9, ll. 58-62; col. 10, ll. 65-68), wherein said network connectivity information is universally used to establish communication between said first electronic device and said second electronic device coupled to said communication network (the system uses the resource URLs to address each resource and to establish communication between the electronic device and each resource)(col. 9, ll. 58-62; See *also* col. 14, l. 61 to col. 15, l. 9).

23. With regard to claim 30, Blight further discloses:

providing said communication interface universally on a plurality of electronic devices coupled to said communication network (each mobile device contains the resource proxy)(col. 10, ll. 16-19); and

providing pertinent network connectivity information for electronic devices upon initiating their respective communication interfaces for establishing said communication

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paths with other devices coupled to said communication network (listing of available resources is presented upon initiation of the resource proxy)(col. 14, ll. 61-65).

24. With regard to claim 31, Blight further discloses automatically establishing a communication path between a first and second electronic device when their associated first and second communication interfaces, respectively, have been initiated under a condition (upon selection of a resource URL, the electronic device is connected to the resource)(col. 15, ll. 7-15).

25. With regard to claim 32, Blight further discloses that said condition is initiating said first and second communication interfaces within a period of time (it is inherent that the interfaces are initialized within "a period of time", and the connection is established as soon as the URL of an available resource is elected)(col. 11, ll. 19-25).

26. With regard to claim 33, Blight further discloses that said condition is initiating said first and second communication interfaces within a geographical location (connections can only be established when the device is in close proximity to certain resources)(col. 8, l. 64 to col. 9, l. 3).

27. With regard to claim 34, Blight further discloses that said network connectivity information is a device identification (ID) (address of resource)(col. 10, ll. 52-53).

28. With regard to claim 35, Blight further discloses assisting said user of said electronic device through a graphical user interface to establish a communication path between said electronic device and a second electronic device chosen by said user, said second electronic device located on said communication network (available network resources are displayed in an HTML page)(col. 14, l. 61 to col. 15, l. 9).

29. With regard to claim 36, Blight further discloses providing a set of possible connections to other known devices located on said communication network for selection by said user (available resources are displayed in an HTML page)(col. 14, l. 61 to col. 15, l. 9).

Claim Rejections - 35 USC § 103

30. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

31. Claims 1 and 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blight et al (US 6,785,542) in view of Manni et al. (US 7,194,689).

32. With regard to claim 1, Blight discloses a communication system comprising:
a communication network (Fig. 6); and

a plurality of electronic devices coupled to said communication network (Fig. 6, 100d, 235a, 235b), at least one of said plurality of electronic devices including a power button (col. 7, ll. 23-24) and a mechanism for initiating (web browser requests an HTML page of available resources)(col. 14, ll. 56-57) a communication interface (resource proxy) (col. 10, ll. 39-60) that when enabled presents (available resources which are presented in an HTML page)(col. 14, ll. 56-57) network connectivity information specific to an associated electronic device implementing said communication interface (proxy provides location based resources available to that mobile device)(col. 10, ll. 22-33), where said network connectivity information is necessary for establishing communication paths between said associated electronic device and other electronic devices coupled to said communication network (URLs are needed to establish communication with the resources)(col. 14, ll. 61-63; *See also* col. 9, ll. 58-62; col. 10, ll. 65-68) , wherein said network connectivity information provides information pertaining and unique to said associated electronic device (the resources are location based resources available to that mobile device)(col. 10, ll. 22-33) and is universally used to establish communication between said associated electronic device and each of said other electronic devices (the system uses the resource URLs to address each resource and to establish communication between the electronic device and each resource)(col. 9, ll. 58-62; *See also* col. 14, l. 61 to col. 15, l. 9).

However, Blight fails to specifically disclose that the mechanism for initiating the communication interface is a “selector engageable to initiate” the communication interface. Blight discloses that the web browser requests an HTML page of available

resources, but does not specifically disclose that this operation occurs in response to a “selector” being “engaged”.

Manni discloses a similar system for locating and communicating with electronic devices on a network (Abstract). Manni teaches an electronic device (computer, such as hand-held or laptop)(col. 4, ll. 64-65) comprising a selector, engagable to initiate a communication interface that presents network connectivity information specific to the electronic device (upon selection of the “Start Discovery” button, the device locates all reachable devices on the network, which are listed in a pull down list on the electronic device)(col. 8, ll. 27-39). This would have been an advantageous addition to the system disclosed by Blight since it would have allowed the user to locate all available devices/resources on the network by pressing a single button, making resource discovery much easier for the user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a “selector” in the form of a button to initiate the communication interface and locate available resources, since it would have allowed the users to easily locate all available resources in the network.

33. With regard to claim 5, Blight further discloses that one of said plurality of electronic devices is a mobile device (mobile electronic device)(col. 3, l. 11).

34. With regard to claim 6, Blight further discloses that one of said plurality of electronic devices is a personal digital assistant (PDA) (col. 2, l. 49).

35. With regard to claim 7, Manni further discloses that the selector is a button (Start Discovery button)(col. 8, ll. 27-31).

36. With regard to claim 8, Manni further discloses that said selector is a software enabled selector located on a display of associated electronic devices (Fig. 2, 212)(col. 8, ll. 27-31).

37. With regard to claim 9, Blight further discloses that each of said plurality of electronic devices comprise a graphical user interface (display creates graphic images and characters for the user)(col. 6, l. 4-7; col. 8, ll. 23-30) for assisting users to establish said communication paths over said communication network (web browser of the electronic device collects and displays information about available resources)(col. 14, l. 61 to col. 15, l. 9).

38. With regard to claim 10, Blight further discloses that said communication network is a wide area network (wireless network such as cellular network)(col. 9, ll. 4-11).

39. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blight et al. (US 6,785,542) in view of Manni et al. (US 7,194,689) further in view of Gaucher (US 6,175,860).

40. With regard to claim 2, while the system disclosed by Blight and Manni shows substantial features of the claimed invention, including automatically establishing a communication path between a first and second electronic device when their associated first and second communication interfaces, respectively, have been initiated under a condition (upon selection of a resource URL, the electronic device is connected to the resource)(col. 15, ll. 7-15)., it fails to disclose a central communication interface for monitoring initiations of communications interfaces and establishing the connections, since each device may monitor initiations and establish connections.

Gaucher discloses a similar system for locating and communicating with electronic devices on a network (Abstract). Gaucher teaches use of a central server (master computer)(col. 2, ll. 49-56) to monitor initiations of communication interfaces and register newly added devices (col. 3, ll. 24-27). This would have been an advantageous addition to the system disclosed by Blight and Manni since it would have enabled implementation, connection and control of diverse devices without requiring user intervention and configuration (Gaucher; col. 2, ll. 45-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a central server to monitor and register devices on the network since it would have allowed diverse devices to be controlled without requiring the user's device to detect devices or requiring the user to configure connections manually.

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41. With regard to claim 3, Blight further discloses that said condition is initiating said first and second communication interfaces within a period of time (it is inherent that the interfaces are initialized within "a period of time", and the connection is established as soon as the URL of an available resource is elected)(col. 11, ll. 19-25).

42. With regard to claim 4, Blight further discloses that said condition is initiating said first and second communication interfaces within a geographical location (connections can only be established when the device is in close proximity to certain resources)(col. 8, l. 64 to col. 9, l. 3).

43. Claim 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Blight et al. (US 6,785,542) in view of Official Notice.

44. With regard to claim 21, while the system disclosed by Blight shows substantial features of the claimed invention (discussed above), it fails to disclose providing a hard copy of the connectivity information, although Blight does teach providing a web page version of the information (col. 14, ll. 56-65).

The Examiner takes Official Notice that printing web pages to generate hard copy versions of them was old and well known in the art at the time the invention was made. Blight teaches that the electronic device may interact with printers via the network (col. 13, ll. 43-45). Printing the web pages would have been advantageous since it would

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have given the user a static list of the resources on the network that could be used for reference at a later time.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to print the web page listing the available resources on the network to permit the user to view the connectivity information without using the electronic device and to store for later use.

Conclusion

45. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AARON STRANGE whose telephone number is (571)272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron Strange/
Examiner, Art Unit 2153